



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5111

by Rep. Paul D. Froehlich

#### SYNOPSIS AS INTRODUCED:

|                |                        |
|----------------|------------------------|
| 10 ILCS 5/7-10 | from Ch. 46, par. 7-10 |
| 10 ILCS 5/7-59 | from Ch. 46, par. 7-59 |
| 10 ILCS 5/28-6 | from Ch. 46, par. 28-6 |

Amends the Election Code. Removes the greater nominating petition signature requirement for county offices in DuPage County (from 1.5% to 0.5% of qualified primary voters). Requires the filing of a declaration of intent to be a write-in candidate on a primary ballot no later than 7 (now, 61) days before the primary in order for votes for that write-in candidate to be counted. Makes the minimum petition signature requirement for local public questions 8% of the total votes cast for all gubernatorial candidates at the most recent gubernatorial election by the voters of the political subdivision (now, with respect to questions at elections in 2009 and later, 11% of the total ballots cast by voters in the political subdivision at the most recent regular election).

LRB095 17311 JAM 43380 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
 3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
 5 Sections 7-10, 7-59, and 28-6 as follows:

6 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

7 Sec. 7-10. Form of petition for nomination. The name of no  
 8 candidate for nomination, or State central committeeman, or  
 9 township committeeman, or precinct committeeman, or ward  
 10 committeeman or candidate for delegate or alternate delegate to  
 11 national nominating conventions, shall be printed upon the  
 12 primary ballot unless a petition for nomination has been filed  
 13 in his behalf as provided in this Article in substantially the  
 14 following form:

15 We, the undersigned, members of and affiliated with the  
 16 .... party and qualified primary electors of the .... party, in  
 17 the .... of ....., in the county of .... and State of Illinois,  
 18 do hereby petition that the following named person or persons  
 19 shall be a candidate or candidates of the .... party for the  
 20 nomination for (or in case of committeemen for election to) the  
 21 office or offices hereinafter specified, to be voted for at the  
 22 primary election to be held on (insert date).

23                                      Name                                      Office                                      Address

|   |              |                  |                 |
|---|--------------|------------------|-----------------|
| 1 | John Jones   | Governor         | Belvidere, Ill. |
| 2 | Thomas Smith | Attorney General | Oakland, Ill.   |

|   |           |              |
|---|-----------|--------------|
| 3 | Name..... | Address..... |
|---|-----------|--------------|

4 State of Illinois)

5 ) ss.

6 County of.....)

7 I, ....., do hereby certify that I reside at No. ....  
8 street, in the .... of ....., county of ....., and State of  
9 ....., that I am 18 years of age or older, that I am a citizen  
10 of the United States, and that the signatures on this sheet  
11 were signed in my presence, and are genuine, and that to the  
12 best of my knowledge and belief the persons so signing were at  
13 the time of signing the petitions qualified voters of the ....  
14 party, and that their respective residences are correctly  
15 stated, as above set forth.

|    |       |
|----|-------|
| 16 | ..... |
|----|-------|

17 Subscribed and sworn to before me on (insert date).

|    |       |
|----|-------|
| 18 | ..... |
|----|-------|

19

20 Each sheet of the petition other than the statement of  
21 candidacy and candidate's statement shall be of uniform size  
22 and shall contain above the space for signatures an appropriate  
23 heading giving the information as to name of candidate or

1 candidates, in whose behalf such petition is signed; the  
2 office, the political party represented and place of residence;  
3 and the heading of each sheet shall be the same.

4 Such petition shall be signed by qualified primary electors  
5 residing in the political division for which the nomination is  
6 sought in their own proper persons only and opposite the  
7 signature of each signer, his residence address shall be  
8 written or printed. The residence address required to be  
9 written or printed opposite each qualified primary elector's  
10 name shall include the street address or rural route number of  
11 the signer, as the case may be, as well as the signer's county,  
12 and city, village or town, and state. However the county or  
13 city, village or town, and state of residence of the electors  
14 may be printed on the petition forms where all of the electors  
15 signing the petition reside in the same county or city, village  
16 or town, and state. Standard abbreviations may be used in  
17 writing the residence address, including street number, if any.  
18 At the bottom of each sheet of such petition shall be added a  
19 circulator statement signed by a person 18 years of age or  
20 older who is a citizen of the United States, stating the street  
21 address or rural route number, as the case may be, as well as  
22 the county, city, village or town, and state; and certifying  
23 that the signatures on that sheet of the petition were signed  
24 in his or her presence and certifying that the signatures are  
25 genuine; and either (1) indicating the dates on which that  
26 sheet was circulated, or (2) indicating the first and last

1 dates on which the sheet was circulated, or (3) certifying that  
2 none of the signatures on the sheet were signed more than 90  
3 days preceding the last day for the filing of the petition and  
4 certifying that to the best of his or her knowledge and belief  
5 the persons so signing were at the time of signing the  
6 petitions qualified voters of the political party for which a  
7 nomination is sought. Such statement shall be sworn to before  
8 some officer authorized to administer oaths in this State.

9 No petition sheet shall be circulated more than 90 days  
10 preceding the last day provided in Section 7-12 for the filing  
11 of such petition.

12 The person circulating the petition, or the candidate on  
13 whose behalf the petition is circulated, may strike any  
14 signature from the petition, provided that:

15 (1) the person striking the signature shall initial the  
16 petition at the place where the signature is struck; and

17 (2) the person striking the signature shall sign a  
18 certification listing the page number and line number of  
19 each signature struck from the petition. Such  
20 certification shall be filed as a part of the petition.

21 Such sheets before being filed shall be neatly fastened  
22 together in book form, by placing the sheets in a pile and  
23 fastening them together at one edge in a secure and suitable  
24 manner, and the sheets shall then be numbered consecutively.  
25 The sheets shall not be fastened by pasting them together end  
26 to end, so as to form a continuous strip or roll. All petition

1 sheets which are filed with the proper local election  
2 officials, election authorities or the State Board of Elections  
3 shall be the original sheets which have been signed by the  
4 voters and by the circulator thereof, and not photocopies or  
5 duplicates of such sheets. Each petition must include as a part  
6 thereof, a statement of candidacy for each of the candidates  
7 filing, or in whose behalf the petition is filed. This  
8 statement shall set out the address of such candidate, the  
9 office for which he is a candidate, shall state that the  
10 candidate is a qualified primary voter of the party to which  
11 the petition relates and is qualified for the office specified  
12 (in the case of a candidate for State's Attorney it shall state  
13 that the candidate is at the time of filing such statement a  
14 licensed attorney-at-law of this State), shall state that he  
15 has filed (or will file before the close of the petition filing  
16 period) a statement of economic interests as required by the  
17 Illinois Governmental Ethics Act, shall request that the  
18 candidate's name be placed upon the official ballot, and shall  
19 be subscribed and sworn to by such candidate before some  
20 officer authorized to take acknowledgment of deeds in the State  
21 and shall be in substantially the following form:

22 Statement of Candidacy

| 23 | Name       | Address      | Office   | District  | Party      |
|----|------------|--------------|----------|-----------|------------|
| 24 | John Jones | 102 Main St. | Governor | Statewide | Republican |
| 25 |            | Belvidere,   |          |           |            |
| 26 |            | Illinois     |          |           |            |

1 State of Illinois)

2 ) ss.

3 County of .....)

4 I, ....., being first duly sworn, say that I reside at ....  
5 Street in the city (or village) of ....., in the county of .....,  
6 State of Illinois; that I am a qualified voter therein and am a  
7 qualified primary voter of the .... party; that I am a  
8 candidate for nomination (for election in the case of  
9 committeeman and delegates and alternate delegates) to the  
10 office of .... to be voted upon at the primary election to be  
11 held on (insert date); that I am legally qualified (including  
12 being the holder of any license that may be an eligibility  
13 requirement for the office I seek the nomination for) to hold  
14 such office and that I have filed (or I will file before the  
15 close of the petition filing period) a statement of economic  
16 interests as required by the Illinois Governmental Ethics Act  
17 and I hereby request that my name be printed upon the official  
18 primary ballot for nomination for (or election to in the case  
19 of committeemen and delegates and alternate delegates) such  
20 office.

21 Signed .....

22 Subscribed and sworn to (or affirmed) before me by .....,  
23 who is to me personally known, on (insert date).

24 Signed .....

25 (Official Character)

1 (Seal, if officer has one.)

2 The petitions, when filed, shall not be withdrawn or added  
3 to, and no signatures shall be revoked except by revocation  
4 filed in writing with the State Board of Elections, election  
5 authority or local election official with whom the petition is  
6 required to be filed, and before the filing of such petition.  
7 Whoever forges the name of a signer upon any petition required  
8 by this Article is deemed guilty of a forgery and on conviction  
9 thereof shall be punished accordingly.

10 A candidate for the offices listed in this Section must  
11 obtain the number of signatures specified in this Section on  
12 his or her petition for nomination.

13 (a) Statewide office or delegate to a national nominating  
14 convention. If a candidate seeks to run for statewide office or  
15 as a delegate or alternate delegate to a national nominating  
16 convention elected from the State at-large, then the  
17 candidate's petition for nomination must contain at least 5,000  
18 but not more than 10,000 signatures.

19 (b) Congressional office or congressional delegate to a  
20 national nominating convention. If a candidate seeks to run for  
21 United States Congress or as a congressional delegate or  
22 alternate congressional delegate to a national nominating  
23 convention elected from a congressional district, then the  
24 candidate's petition for nomination must contain at least the  
25 number of signatures equal to 0.5% of the qualified primary

1 electors of his or her party in his or her congressional  
2 district. In the first primary election following a  
3 redistricting of congressional districts, a candidate's  
4 petition for nomination must contain at least 600 signatures of  
5 qualified primary electors of the candidate's political party  
6 in his or her congressional district.

7 (c) County office. If a candidate seeks to run for any  
8 countywide office, including but not limited to county board  
9 chairperson or county board member, elected on an at-large  
10 basis, in a county other than Cook County, then the candidate's  
11 petition for nomination must contain at least the number of  
12 signatures equal to 0.5% of the qualified electors of his or  
13 her party who cast votes at the last preceding general election  
14 in his or her county ~~(or 1.5% if the county is DuPage County)~~.

15 If a candidate seeks to run for county board member elected  
16 from a county board district, then the candidate's petition for  
17 nomination must contain at least the number of signatures equal  
18 to 0.5% of the qualified primary electors of his or her party  
19 in the county board district ~~(or 1.5% if the county is DuPage~~

20 ~~County)~~. In the first primary election following a  
21 redistricting of county board districts or the initial  
22 establishment of county board districts, a candidate's  
23 petition for nomination must contain at least the number of  
24 signatures equal to 0.5% of the qualified electors of his or  
25 her party in the entire county who cast votes at the last  
26 preceding general election divided by the total number of

1 county board districts comprising the county board ~~(or 1.5% if~~  
2 ~~the county is DuPage County)~~; provided that in no event shall  
3 the number of signatures be less than 25.

4 (d) County office; Cook County only.

5 (1) If a candidate seeks to run for countywide office  
6 in Cook County, then the candidate's petition for  
7 nomination must contain at least the number of signatures  
8 equal to 0.5% of the qualified electors of his or her party  
9 who cast votes at the last preceding general election in  
10 Cook County.

11 (2) If a candidate seeks to run for Cook County Board  
12 Commissioner, then the candidate's petition for nomination  
13 must contain at least the number of signatures equal to  
14 0.5% of the qualified primary electors of his or her party  
15 in his or her county board district. In the first primary  
16 election following a redistricting of Cook County Board of  
17 Commissioners districts, a candidate's petition for  
18 nomination must contain at least the number of signatures  
19 equal to 0.5% of the qualified electors of his or her party  
20 in the entire county who cast votes at the last preceding  
21 general election divided by the total number of county  
22 board districts comprising the county board; provided that  
23 in no event shall the number of signatures be less than 25.

24 (3) If a candidate seeks to run for Cook County Board  
25 of Review Commissioner, which is elected from a district  
26 pursuant to subsection (c) of Section 5-5 of the Property

1 Tax Code, then the candidate's petition for nomination must  
2 contain at least the number of signatures equal to 0.5% of  
3 the total number of registered voters in his or her board  
4 of review district in the last general election at which a  
5 commissioner was regularly scheduled to be elected from  
6 that board of review district. In no event shall the number  
7 of signatures required be greater than the requisite number  
8 for a candidate who seeks countywide office in Cook County  
9 under subsection (d)(1) of this Section. In the first  
10 primary election following a redistricting of Cook County  
11 Board of Review districts, a candidate's petition for  
12 nomination must contain at least 4,000 signatures or at  
13 least the number of signatures required for a countywide  
14 candidate in Cook County, whichever is less, of the  
15 qualified electors of his or her party in the district.

16 (e) Municipal or township office. If a candidate seeks to  
17 run for municipal or township office, then the candidate's  
18 petition for nomination must contain at least the number of  
19 signatures equal to 0.5% of the qualified primary electors of  
20 his or her party in the municipality or township. If a  
21 candidate seeks to run for alderman of a municipality, then the  
22 candidate's petition for nomination must contain at least the  
23 number of signatures equal to 0.5% of the qualified primary  
24 electors of his or her party of the ward. In the first primary  
25 election following redistricting of aldermanic wards or  
26 trustee districts of a municipality or the initial

1 establishment of wards or districts, a candidate's petition for  
2 nomination must contain the number of signatures equal to at  
3 least 0.5% of the total number of votes cast for the candidate  
4 of that political party who received the highest number of  
5 votes in the entire municipality at the last regular election  
6 at which an officer was regularly scheduled to be elected from  
7 the entire municipality, divided by the number of wards or  
8 districts. In no event shall the number of signatures be less  
9 than 25.

10 (f) State central committeeperson. If a candidate seeks to  
11 run for State central committeeperson, then the candidate's  
12 petition for nomination must contain at least 100 signatures of  
13 the primary electors of his or her party of his or her  
14 congressional district.

15 (g) Sanitary district trustee. If a candidate seeks to run  
16 for trustee of a sanitary district in which trustees are not  
17 elected from wards, then the candidate's petition for  
18 nomination must contain at least the number of signatures equal  
19 to 0.5% of the primary electors of his or her party from the  
20 sanitary district. If a candidate seeks to run for trustee of a  
21 sanitary district in which trustees are elected from wards,  
22 then the candidate's petition for nomination must contain at  
23 least the number of signatures equal to 0.5% of the primary  
24 electors of his or her party in the ward of that sanitary  
25 district. In the first primary election following  
26 redistricting of sanitary districts elected from wards, a

1 candidate's petition for nomination must contain at least the  
2 signatures of 150 qualified primary electors of his or her ward  
3 of that sanitary district.

4 (h) Judicial office. If a candidate seeks to run for  
5 judicial office in a district, then the candidate's petition  
6 for nomination must contain the number of signatures equal to  
7 0.4% of the number of votes cast in that district for the  
8 candidate for his or her political party for the office of  
9 Governor at the last general election at which a Governor was  
10 elected, but in no event less than 500 signatures. If a  
11 candidate seeks to run for judicial office in a circuit or  
12 subcircuit, then the candidate's petition for nomination must  
13 contain the number of signatures equal to 0.25% of the number  
14 of votes cast for the judicial candidate of his or her  
15 political party who received the highest number of votes at the  
16 last general election at which a judicial officer from the same  
17 circuit or subcircuit was regularly scheduled to be elected,  
18 but in no event less than 500 signatures.

19 (i) Precinct, ward, and township committeeperson. If a  
20 candidate seeks to run for precinct committeeperson, then the  
21 candidate's petition for nomination must contain at least 10  
22 signatures of the primary electors of his or her party for the  
23 precinct. If a candidate seeks to run for ward committeeperson,  
24 then the candidate's petition for nomination must contain no  
25 less than the number of signatures equal to 10% of the primary  
26 electors of his or her party of the ward, but no more than 16%

1 of those same electors; provided that the maximum number of  
2 signatures may be 50 more than the minimum number, whichever is  
3 greater. If a candidate seeks to run for township  
4 committeeperson, then the candidate's petition for nomination  
5 must contain no less than the number of signatures equal to 5%  
6 of the primary electors of his or her party of the township,  
7 but no more than 8% of those same electors; provided that the  
8 maximum number of signatures may be 50 more than the minimum  
9 number, whichever is greater.

10 (j) State's attorney or regional superintendent of schools  
11 for multiple counties. If a candidate seeks to run for State's  
12 attorney or regional Superintendent of Schools who serves more  
13 than one county, then the candidate's petition for nomination  
14 must contain at least the number of signatures equal to 0.5% of  
15 the primary electors of his or her party in the territory  
16 comprising the counties.

17 (k) Any other office. If a candidate seeks any other  
18 office, then the candidate's petition for nomination must  
19 contain at least the number of signatures equal to 0.5% of the  
20 registered voters of the political subdivision, district, or  
21 division for which the nomination is made or 25 signatures,  
22 whichever is greater.

23 For purposes of this Section the number of primary electors  
24 shall be determined by taking the total vote cast, in the  
25 applicable district, for the candidate for that political party  
26 who received the highest number of votes, statewide, at the

1 last general election in the State at which electors for  
2 President of the United States were elected. For political  
3 subdivisions, the number of primary electors shall be  
4 determined by taking the total vote cast for the candidate for  
5 that political party who received the highest number of votes  
6 in the political subdivision at the last regular election at  
7 which an officer was regularly scheduled to be elected from  
8 that subdivision. For wards or districts of political  
9 subdivisions, the number of primary electors shall be  
10 determined by taking the total vote cast for the candidate for  
11 that political party who received the highest number of votes  
12 in the ward or district at the last regular election at which  
13 an officer was regularly scheduled to be elected from that ward  
14 or district.

15 A "qualified primary elector" of a party may not sign  
16 petitions for or be a candidate in the primary of more than one  
17 party.

18 The changes made to this Section of this amendatory Act of  
19 the 93rd General Assembly are declarative of existing law,  
20 except for item (3) of subsection (d).

21 Petitions of candidates for nomination for offices herein  
22 specified, to be filed with the same officer, may contain the  
23 names of 2 or more candidates of the same political party for  
24 the same or different offices.

25 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

1 (10 ILCS 5/7-59) (from Ch. 46, par. 7-59)

2 Sec. 7-59. (a) The person receiving the highest number of  
3 votes at a primary as a candidate of a party for the nomination  
4 for an office shall be the candidate of that party for such  
5 office, and his name as such candidate shall be placed on the  
6 official ballot at the election then next ensuing; provided,  
7 that where there are two or more persons to be nominated for  
8 the same office or board, the requisite number of persons  
9 receiving the highest number of votes shall be nominated and  
10 their names shall be placed on the official ballot at the  
11 following election.

12 Except as otherwise provided by Section 7-8 of this Act,  
13 the person receiving the highest number of votes of his party  
14 for State central committeeman of his congressional district  
15 shall be declared elected State central committeeman from said  
16 congressional district.

17 Unless a national political party specifies that delegates  
18 and alternate delegates to a National nominating convention be  
19 allocated by proportional selection representation according  
20 to the results of a Presidential preference primary, the  
21 requisite number of persons receiving the highest number of  
22 votes of their party for delegates and alternate delegates to  
23 National nominating conventions from the State at large, and  
24 the requisite number of persons receiving the highest number of  
25 votes of their party for delegates and alternate delegates to  
26 National nominating conventions in their respective

1 congressional districts shall be declared elected delegates  
2 and alternate delegates to the National nominating conventions  
3 of their party.

4 A political party which elects the members to its State  
5 Central Committee by Alternative B under paragraph (a) of  
6 Section 7-8 shall select its congressional district delegates  
7 and alternate delegates to its national nominating convention  
8 by proportional selection representation according to the  
9 results of a Presidential preference primary in each  
10 congressional district in the manner provided by the rules of  
11 the national political party and the State Central Committee,  
12 when the rules and policies of the national political party so  
13 require.

14 A political party which elects the members to its State  
15 Central Committee by Alternative B under paragraph (a) of  
16 Section 7-8 shall select its at large delegates and alternate  
17 delegates to its national nominating convention by  
18 proportional selection representation according to the results  
19 of a Presidential preference primary in the whole State in the  
20 manner provided by the rules of the national political party  
21 and the State Central Committee, when the rules and policies of  
22 the national political party so require.

23 The person receiving the highest number of votes of his  
24 party for precinct committeeman of his precinct shall be  
25 declared elected precinct committeeman from said precinct.

26 The person receiving the highest number of votes of his

1 party for township committeeman of his township or part of a  
2 township as the case may be, shall be declared elected township  
3 committeeman from said township or part of a township as the  
4 case may be. In cities where ward committeemen are elected, the  
5 person receiving the highest number of votes of his party for  
6 ward committeeman of his ward shall be declared elected ward  
7 committeeman from said ward.

8 When two or more persons receive an equal and the highest  
9 number of votes for the nomination for the same office or for  
10 committeeman of the same political party, or where more than  
11 one person of the same political party is to be nominated as a  
12 candidate for office or committeeman, if it appears that more  
13 than the number of persons to be nominated for an office or  
14 elected committeeman have the highest and an equal number of  
15 votes for the nomination for the same office or for election as  
16 committeeman, the election authority by which the returns of  
17 the primary are canvassed shall decide by lot which of said  
18 persons shall be nominated or elected, as the case may be. In  
19 such case the election authority shall issue notice in writing  
20 to such persons of such tie vote stating therein the place, the  
21 day (which shall not be more than 5 days thereafter) and the  
22 hour when such nomination or election shall be so determined.

23 (b) Write-in votes shall be counted only for persons who  
24 have filed notarized declarations of intent to be write-in  
25 candidates with the proper election authority or authorities  
26 not later than 7 ~~61~~ days prior to the primary. ~~However,~~

1 ~~whenever an objection to a candidate's nominating papers or~~  
2 ~~petitions for any office is sustained under Section 10-10 after~~  
3 ~~the 61st day before the election, then write-in votes shall be~~  
4 ~~counted for that candidate if he or she has filed a notarized~~  
5 ~~declaration of intent to be a write-in candidate for that~~  
6 ~~office with the proper election authority or authorities not~~  
7 ~~later than 7 days prior to the election.~~

8 Forms for the declaration of intent to be a write-in  
9 candidate shall be supplied by the election authorities. Such  
10 declaration shall specify the office for which the person seeks  
11 nomination or election as a write-in candidate.

12 The election authority or authorities shall deliver a list  
13 of all persons who have filed such declarations to the election  
14 judges in the appropriate precincts prior to the primary.

15 (c) (1) Notwithstanding any other provisions of this  
16 Section, where the number of candidates whose names have been  
17 printed on a party's ballot for nomination for or election to  
18 an office at a primary is less than the number of persons the  
19 party is entitled to nominate for or elect to the office at the  
20 primary, a person whose name was not printed on the party's  
21 primary ballot as a candidate for nomination for or election to  
22 the office, is not nominated for or elected to that office as a  
23 result of a write-in vote at the primary unless the number of  
24 votes he received equals or exceeds the number of signatures  
25 required on a petition for nomination for that office; or  
26 unless the number of votes he receives exceeds the number of

1 votes received by at least one of the candidates whose names  
2 were printed on the primary ballot for nomination for or  
3 election to the same office.

4 (2) Paragraph (1) of this subsection does not apply where  
5 the number of candidates whose names have been printed on the  
6 party's ballot for nomination for or election to the office at  
7 the primary equals or exceeds the number of persons the party  
8 is entitled to nominate for or elect to the office at the  
9 primary.

10 (Source: P.A. 94-647, eff. 1-1-06; 95-699, eff. 11-9-07.)

11 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

12 Sec. 28-6. Petitions; filing.

13 (a) On a written petition signed by a number of voters  
14 equal to ~~(i) through the general election in 2008,~~ at least 8%  
15 of the total votes cast for candidates for Governor in the  
16 preceding gubernatorial election by the registered voters of  
17 the municipality, township, county or school district ~~and (ii)~~  
18 ~~beginning with elections in 2009 and thereafter, at least 11%~~  
19 ~~of the total ballots cast by the registered voters of the~~  
20 ~~municipality, township, county, or school district in the last~~  
21 ~~regular election conducted in the municipality, township,~~  
22 ~~county, or school district,~~ it shall be the duty of the proper  
23 election officers to submit any question of public policy so  
24 petitioned for, to the electors of such political subdivision  
25 at any regular election named in the petition at which an

1 election is scheduled to be held throughout such political  
2 subdivision under Article 2A. Such petitions shall be filed  
3 with the local election official of the political subdivision  
4 or election authority, as the case may be. Where such a  
5 question is to be submitted to the voters of a municipality  
6 which has adopted Article 6, or a township or school district  
7 located entirely within the jurisdiction of a municipal board  
8 of election commissioners, such petitions shall be filed with  
9 the board of election commissioners having jurisdiction over  
10 the political subdivision.

11 (b) In a municipality with more than 1,000,000 inhabitants,  
12 when a question of public policy exclusively concerning a  
13 contiguous territory included entirely within but not  
14 coextensive with the municipality is initiated by resolution or  
15 ordinance of the corporate authorities of the municipality, or  
16 by a petition which may be signed by registered voters who  
17 reside in any part of any precinct all or part of which  
18 includes all or part of the territory and who equal in number  
19 ~~(i) through the general election in 2008~~ at least 8% of the  
20 total votes cast for candidates for Governor in the preceding  
21 gubernatorial election by the voters of the precinct or  
22 precincts in the territory where the question is to be  
23 submitted to the voters ~~and (ii) beginning with elections in~~  
24 ~~2009 and thereafter, at least 11% of the total ballots cast at~~  
25 ~~the last regular election conducted in the precinct or~~  
26 ~~precincts in the territory where the question is to be~~

1 ~~submitted to the voters,~~ it shall be the duty of the election  
2 authority having jurisdiction over such municipality to submit  
3 such question to the electors throughout each precinct all or  
4 part of which includes all or part of the territory at the  
5 regular election specified in the resolution, ordinance or  
6 petition initiating the public question. A petition initiating  
7 a public question described in this subsection shall be filed  
8 with the election authority having jurisdiction over the  
9 municipality. A resolution, ordinance or petition initiating a  
10 public question described in this subsection shall specify the  
11 election at which the question is to be submitted.

12 (c) Local questions of public policy authorized by this  
13 Section and statewide questions of public policy authorized by  
14 Section 28-9 shall be advisory public questions, and no legal  
15 effects shall result from the adoption or rejection of such  
16 propositions.

17 (d) This Section does not apply to a petition filed  
18 pursuant to Article IX of the Liquor Control Act of 1934.

19 (Source: P.A. 95-699, eff. 11-9-07.)